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ABSTRACT

This document outlines Arizona's 3-year (1991-94) plan for its state migrant education program. The annual statewide needs assessment, based on student data for 1989-90, found that, of the state's 14,485 migrant students enrolled in Grades K-12, 46% were overage for their grade level and over 80% scored below average norms in reading, language, and mathematics. The assessment also examined health services, nutritional services, and preschool programs for migrant children. The formula for state allocation of program funds to school districts is reviewed. Activities for achieving educational objectives and evaluation methods are described for each of seven objectives: (1) decreasing the percentage of migrant students who are overage for grade; (2) improving achievement scores; (3) increasing the statewide graduation rate of migrant students; (4) increasing the provision of alternative program services to dropout youth; (5) maintaining supplemental support services to migrant students; (6) maintaining current usage in the Migrant Student Record Transfer System and involving paid staff in staff development activities; and (7) increasing parent involvement. Plans are also outlined for statewide evaluation and program improvement, identification and recruitment of migrant children, location of projects, services to private school children, coordination with other programs and other states, parental participation, fiscal and administrative requirements, and use of funds. State supervision of local programs is discussed. This document contains maps and tables related to current and expected numbers of migrant children requiring services, staffing, and budgets. (SV)

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CHAPTER 1

SCHOOL IMPROVEMENT ACT

MIGRANT EDUCATION PROGRAM

APPLICATION FOR STATE GRANT

PROGRAM YEARS 1992, 1993, 1994

Jane Hunt

State Director

Migrant Child Education

ARIZONA DEPARTMENT OF EDUCATION

C. Diane Bishop, Superintendent

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TABLE OF CONTENTS

		Page
PART I	Request for Federal Assistance	3
PART II	Program Narrative	
	Section A - Program Plan - State Level	5
	Section B - Program Plan - Local Level	32
	Maps	39
PART III	Tables and Budget Narrative	46
PART IV	Assurances and Certification	57

FACE PAGE

Application for Federal Financial Assistance
Under Chapter 1
Migrant Education Program

PART I

1. Request for Federal Assistance

The State of Arizona hereby requests its entitlement of funds as authorized by Section 1201 of Chapter 1 of the School Improvement Act of 1988.

2. State Applicant (list the State Agency to whom the funds will be awarded)

Applicant: Arizona Department of Education (ADE)

Street Address/P.O. Box: 1535 West Jefferson

City/State, and Zip Code: Phoenix, AZ 85007

Federal Employer Identification Number: 1-866004791-A3

Contact Person (name and title): Jane Hunt, Director

Telephone Number: (602) 542-5138

3. Certification

To the best of my knowledge and belief, data in this application are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the requirements of the Chapter 1, Migrant Education Program (MEP), and the attached assurances contained in Part IV of this application.

_____ _____

Signature of Chief State School Officer or Legally Authorized Representative — Date

_____

Title

PART II - PROGRAM NARRATIVE

Section A - Program Plan - State Level

1. Type of Application

This plan is for a period of three years. The application period is from July 1, 1991, to September 30, 1994. The extended period allowed by the federal regulation enables the State Migrant Child Education Program (MCEP) to fund programs for the maximum period of time allowable. Given the relative stability of the needs and the desirability of long-term planning and goal-setting, submitting a three-year state plan seems both practical and desirable. An annual update will be submitted each year to reflect changing needs and conditions.

2. Statewide Needs Assessment

a. The State Education Agency's (SEA) annual needs assessment procedure:

In order to determine the numbers and the degree of educational deprivation of eligible migratory children statewide, the SEA collected data from reports compiled by the Migrant Student Record Transfer System (MSRTS). The SEA also collected data from the local operating school districts. The SEA asked the Local Education Agencies (LEAs) to provide an assessment of local conditions which may affect migrant student populations in their area, such as, changes in housing, agricultural and school district conditions.

Data from the Student And Program Needs Assessment (SAPNA) was used to estimate the statewide rate of overage for grade of migrant students and to determine migrant students performance on statewide norm-referenced achievement tests administered to all students.

End-of-the-year LEA project evaluation reports were used to collect data on secondary migrant students' graduation rates and on health and nutritional services for migrant students.

A parent questionnaire was distributed statewide to determine the unmet needs of preschool, dropouts and the adults themselves as well as their perception of the adequacy of services to school-aged students.

The Committee of Practitioners is made up of at least two representatives, one migrant and one nonmigrant program person, from each of twelve projects which are both geographically and demographically representative of the state. The committee participants included local school board presidents, superintendents, principals, parents, instructional and support personnel. During a teleconference, the Committee reviewed the plan and their assessment of needs resulted in some additions and revisions.

b. Results of the annual statewide needs assessment:

Figure 1, on page 11, is based on data from the SAPNA report provided to the SEA. The information covers MSRTS data from July 1, 1989, to August 30, 1990.

Analysis of the data showed that 6,575 (46%) of the K-12 migrant students in the state enrolled during this period were below grade level, given their age at the beginning of the regular school year. This is almost one out of two

migrant students who were enrolled. The 46 percent overall rate is especially alarming considering that the national studies estimate that being retained one grade increases the risk of dropping out later by 40 to 50 percent.

Migrant student test scores on norm-referenced achievement tests administered in the spring of 1990 were also taken from the MSRTS report. Figure 2, on page 12, shows the number of migrant students scoring below average, i.e., below the 50th Normal Curve Equivalent (NCE) in the areas of reading, language and mathematics, grades 1-12.

Analysis of the data revealed that 7,337 (86%) of the migrant students tested scored below average in reading. In language, 6,727 (80%) of the migrant students scored below average and in mathematics, 8,532 (81%) scored at or below the 50th NCE.

Data taken from the LEAs' end-of-the-year evaluation reports and demographic data from participation reports provided by MSRTS for 1988 through 1990 showed the following information regarding the number of high school migrant students enrolled/graduated:

	1988	1989	1990
Enrolled in Grade 12	428	502	614
Graduated	336	324	396

Utilization of available demographic data limits the years reported to 1988-1990 with 1988 serving as the baseline. Analysis of this data showed that between 1988 and 1989 there was an increase of 17% in student enrollment with a decrease of 3.6% for graduates. Between 1989 and 1990 there was an increase of 22% in enrollment and an increase of 22% in the number of graduates.

Longitudinally the analysis of data for years 1989 and 1990 indicated an increase of 43% in the student enrollments and an increase of 14% in the number of graduates.

Data collected from the MSRTS reports identifies residency-only youths who are not enrolled or receiving migrant-funded services. Youths in the age group of 14-21 years are considered dropouts. The number identified for the year is:

1990
1855

In addition to these dropouts, high at-risk students are identified by the LEAs. In some cases, these students withdraw early and have no subsequent enrollment in an instructional program.

Data collected from LEAs' end-of-the-year evaluation reports showed that migrant students had 22,620 incidences of health examinations/screenings. They were at least partially provided using migrant funds with 7,252 made possible by coordinating LEA migrant projects with other resources.

The LEAs' evaluation data also indicated that 14,288 migrant students received nutritional services which include breakfast, snacks, reduced-price lunches and lunches at no cost to the students by coordinating migrant

projects with the National School Breakfast and Lunch Programs at the LEAs.

MSRTS reports for school year 1989-90 showed that there were 1,209 three- and four-year-old migrant children identified in Arizona. Statistics gathered from parents during the 1990-91 school year showed that 913 migrant preschoolers were not being served in an educational program. While efforts are made to be sure that eligible migrant students are included in available preschool programs, the number of those not being served clearly shows a need for consideration of how the needs of these children may best be met. The SEA will be increasing its emphasis in both assessment and program services so that by 1994 all three- and four-year-old mobiles will have a preschool instructional service available.

In general these services will be designed to be developmentally appropriate for children who may be language delayed, lack vocabulary, or may have a home language other than English. The need exists for parental education in order to allow the child to develop these necessary language skills. Under findings published by the ADE Task Force on Early Childhood Education, there is a need for low pupil/adult ratios, strong parental involvement, and programs with developmentally appropriate curriculum.

Starting with 1991-92 and subsequent projects, the needs of all three- and four-year-old mobile migrants must be assessed and appropriate services must be available before status 3 school age children can be served. These preschool services may be provided through 1) coordination with existing programs, 2) materials developed for home use, 3) parent education programs and 4) the development of a limited number of site based programs.

Arizona identified 16,841 migrant students during 1989-90 of which 7,829 (46%) were mobile. The state's performance report for 1989-90 shows that migrant funded services were provided to the following:

	Currently	Formerly
English to limited English background	769 (50%)	784
Reading	1,757 (47%)	1,956
Other language arts	1,542 (49%)	1,618
Mathematics	1,263 (44%)	1,612
Vocational/career	650 (46%)	766
Tutorial secondary	163 (34%)	321
Preschool	38 (58%)	29
Gifted	1 (33%)	2
General Educational Development (GED)/High School Equivalency Program (HEP)	5 (71%)	2
Handicapped	19 (58%)	14
Portable Assisted Study Sequence (PASS)	56 (26%)	159
Tutorial elementary	70 (39%)	111
Health education/safety	2 (29%)	5
Computer literacy	13 (57%)	10
Special Activities	117 (40%)	174
Attendance Social Work/Guidance	1,871 (46%)	2,199
Health	2,543 (34%)	5,003
Dental	869 (43%)	1,145
Nutrition	61 (41%)	89
Pupil transportation	744 (51%)	720
At-risk	678 (40%)	1,014
Needs assessment	98 (54%)	85
Total services	13,329 (43%)	17,818

While the needs of mobile students who have not yet arrived in our project areas can only be estimated through past experience, it is anticipated that their needs in the next three years will not change appreciably. However, increasing numbers in the Yuma area and some additional identification in the agricultural areas in far eastern Maricopa County, Cochise County and the northeastern parts of the state will create a need for greater consideration of additional services to mobiles in these areas.

Generally the needs of mobile migrant students fall into two broad categories. One group is those students whose families move in a regular cycle which means late arrivals into the school program and early departures. These students' needs center around flexibility for both timing and content in the delivery of instructional services. The second broad group of mobile students is those whose families move from place to place within a more confined geographic area and their movements have less predictability. These are often dysfunctional families with more intense support service needs. Both groups are found in the state's mobile population and each project must determine how the unique needs of their group of mobiles will be met.

To help increase service to mobile students broader based programs encompassing more than a single district are being developed. The cost effectiveness of this model allows for additional instructional and support services with little or no added administrative or clerical cost.

All projects have been written with a priority of service to the needs of mobile migrants. The allocations to LEAs are also reflective of this priority.

c. Funding for Arizona Migrant Child Education Programs

Beginning with the allocations for FY1991, the state allocation is being distributed to subgrantees via a target funding formula as described below. It is important to note that the amounts allocated to the districts in this process are for their regular school year program. When discrepancies from the target amount are large, adjustments are being made over more than one year to allow districts to plan for major changes which these funding adjustments may create.

The formula consists of three parts:

BASE The total number of students enrolled during the previous year as shown on the Full Time Equivalent (FTE) Student Distribution listing for each district. This is then multiplied by a factor of $25, $50, or $100 which is dependent upon district size and proximity to support services.

PUPILS The FTE calculations for the previous year were multiplied by a weighted factor of 1.0 for mobiles enrolled in school, 0.5 for settled outs enrolled in school, 1.0 for mobile preschool and 0.25 for residency status 3 preschool and youths over 14 years of age.

NEEDS The following counts from the SAPNA report for the current school year were each multiplied by a weighted factor of 0.15: overage for grade, attendance, language proficiency (one of the three: language proficiency, English as a Second Language (ESL), or Bilingual), below the 50th NCE in reading, language and math. Also multiplied by the same factor was the number of students enrolled on October 1 or later in the previous year. This last item was calculated from the Facility and Terminal Statistics (FATS) data downloaded and charted each month by the SEA.

Twelve percent of the state's new allocation plus expected carry-over is set aside for overall activity which includes SEA, MSRTS, and statewide service projects.

Eighty percent of the new allocation is used to calculate the formula amounts for each district as follows:

$$(\text{New allocation} \times 0.75) - \text{BASE} = (\text{PUPILS} + \text{NEEDS})$$

$$\frac{(\text{PUPILS} + \text{NEEDS})}{\text{Total weights}} = \$ \text{ per weight}$$

Districts' target funds = BASE + (PUPILS + NEEDS) ($ per weight)

Eight percent plus is also allocated for: needs outside of the funding formula, distribution for summer schools, conference attendance and special projects.

d. The SEA will ensure that

1) LEAs are aware of the statewide needs assessment by the

- SEA disseminating results of the statewide parent assessment to every LEA at regional Project Writing Workshops held throughout the state
- SEA disseminating SAPNA and participation information to be used in project development
- SEA disseminating copies of the state plan to every LEA in the state

2) On a statewide basis, currently migratory children have priority over formerly migratory children in the provision of program services by the

- SEA providing standardized application forms and instructions, which specify priority of services to currently over formerly migratory children and having LEAs apply for program funds based on their assurance to adhere to this requirement
- SEA emphasizing through training and technical assistance the needs assessment data and other information referencing regulations on priority of services and the standard application system. (This training will take place at regional Project Writing Workshops and at the annual Leadership Workshop.)
- SEA monitoring LEAs on-site for compliance with this and other program requirements

3) The same methods described above will be used to ensure that eligible migratory children with the greatest need for special assistance will be served.

FIGURE 1
STATEWIDE ESTIMATED RATE OF OVERAGE FOR GRADE OF MIGRANT STUDENTS

Grade	Total Number of Migrant Children Enrolled	Number of Migrant Students Placed Below Their Age Level	Percent of Migrant Students Placed Below Their Age Level
K	1,178	237	21%
1	1,423	504	36%
2	1,388	599	44%
3	1,322	578	44%
4	1,291	616	48%
5	1,159	517	45%
6	1,135	552	49%
7	1,221	608	50%
8	1,108	601	55%
9	1,048	596	57%
10	913	478	53%
11	685	360	53%
12	614	329	54%
TOTAL	14,485	6,575	46%

3. Objectives, Activities to Achieve Objectives and Evaluation

OBJECTIVE 1: To decrease the percentage of migrant students, grades K-12, who are overage for grade by at least five percent.

ACTIVITIES

1. Assess the need for statewide preschool programs for migrant students, determine the availability of preschool services from other sources and plan for delivery of preschool program services for migrant children.

2. Develop and implement appropriate educational programs for migrant preschool age children based on assessed needs and service priorities.

3. Coordinate local migrant projects with the Arizona Migrant Head Start and other similar programs.

4. Provide funding to operate at least one summer migrant project in each county where migrant children reside.

5. Coordinate migrant summer projects with other LEA programs and/or among several LEAs.

6. Provide training to migrant parents through the local Migrant Parent Advisory Councils (MPAC) in order to provide for preschoolers' home activities.

7. Encourage operating LEAs to make individual needs assessments of migrant students for proper placement in appropriate instructional programs.

EVALUATION

The effectiveness of the activities will be determined through the gathering of student participation data via the MSRTS records. The calculated age for grade of all students will be available on the SAPNA reports and these will be compared to the previous year's data. The average age of enrolling preschoolers into the next year's kindergarten will be used as a key indicator of the success of preschool activities in helping reduce the number of children who are overage for grade on initial enrollment into the school's program.

The availability of summer school services, coordination with other agencies and programs and the parental involvement will be evaluated for effectiveness through the data submitted by the local projects. These data items will be aggregated and compared using the SEA's data gathering processes to assure that the activities have been accomplished.

OBJECTIVE 2: To improve the achievement levels of migrant students, grades 1-12, in the basic and more advanced skills areas by at least 2 NCEs.

ACTIVITIES

1. Fund LEAs to develop and implement supplemental language arts programs for migrant students, grades K-12, in response to assessed needs and in compliance with service priorities.

2. Fund LEAs to develop and implement supplemental math for migrant students, grades K-12, in response to assessed needs and in compliance with service priorities.

3. Fund LEAs to develop and implement supplemental tutorial programs for migrant students, grades 1-12, in response to assessed needs and in compliance with service priorities.

4. Fund LEAs to develop and implement supplemental alternative programs for migrant students as needed, such as peer and cross-age tutoring, work study and computer assisted instruction.

5. Provide in-service training on basic and advanced skills and technical assistance to operating LEAs through individual on-site visits or regional workshops.

6. Coordinate LEA programs in basic and advanced skills instruction with other instructional programs such as Chapter 1 Regular, ESL/Bilingual, etc.

7. Identify handicapped migrant students and coordinate services with LEAs' Special Education programs or provide assistance to handicapped migrant children who have unmet needs which cannot be provided by any other source.

8. Make materials available to LEAs on an on-loan basis through the State-Wide Services Project.

9. Fund LEAs to purchase materials based on migrant students' library needs.

EVALUATION

The students participating in supplemental reading, math and language programs will be tested as much as it is feasible during the state's mandated testing program using the Iowa Test of Basic Skills (ITBS) and the Test of Achievement and Proficiency (TAP) standardized tests. This test data will be recorded on the MSRTS and that system will be used to compare an aggregated total NCE for the previous year with the aggregated total for this project year in each of the three subject areas.

Individual project objectives will be measured and reported on local testing procedures where the standardized testing system is not applicable for those students being served. This nonstandardized assessment data will also be used to evaluate the effectiveness of activities under this objective when LEAs report to the SEA in their end-of-the-year evaluations.

OBJECTIVE 3: To increase the statewide high school graduation rate of migrant students by at least five percent.

ACTIVITIES

1. Fund LEAs to develop and implement dropout prevention and retrieval programs for migrant students including the Goals for Youth Program and coordinated services with Job Training Partnership Act of 1982 (JTPA), HEP, College Assistance Migrant Program (CAMP), etc.

2. Encourage LEAs to develop programs, methods, etc., to help migrant students make the transition from eighth to ninth grade.

3. Establish a process for exchange of MSRTS records between feeder elementary schools and receiving high schools—with follow-up on students failing to enroll.

4. Encourage participating high school districts to arrange visits to their campuses for eighth grade migrant students and their parents.

5. Support the use of high school migrant student counselors/advisors.

6. Support use of career fairs, mentoring programs, and retreats to help migrant students stay in school.

7. Maintain the PASS and Mini-PASS programs and make available appropriate courses for credit deficient students.

8. Monitor LEAs for compliance of the MSRTS credit accrual requirements.

EVALUATION

The number of graduates will be reported to the SEA in the projects' year-end evaluations. These figures will be compared to the previous year's data. The actual increase in the number of graduates will form the key measure of effectiveness for this objective.

Additional data will be gathered as to the number of eighth grade graduates and this will be compared to the number of actual MSRTS enrollments into the ninth grade. This comparison will serve as an indicator of the effectiveness of the efforts to help students make the transition into high school. Some efforts will be made through local project objectives to assess the effectiveness of specific activities by gathering their local project data on the actual credit accrual of small numbers of students. The local end-of-the-year reports will serve as an indicator of the effectiveness in accruing credit toward graduation and help to augment the beginning and ending benchmarks indicated by the SEA and MSRTS gathered items.

OBJECTIVE 4: To increase the provision of alternative program services to dropout youths by five percent.

ACTIVITIES

1. Establish Identification and Recruitment (ID&R) and needs assessment services for dropout youths who do not come in contact with area school ID&R staff.

2. Link with school migrant programs in the ID&R needs assessment and program services of dropout youths.

3. Establish program and referral services for assessed instructional, vocational and support needs of dropout and at-risk migrant students.

4. Provide in-service workshops including topics such as cultural diversity, the at-risk child and migrant lifestyle to teachers and administrators.

EVALUATION

The increased provision of alternative program service to dropout youths will be reported to the SEA in the projects' end-of-the-year reports and through the MSRTS funding codes on the participation reports. These figures will be compared to subsequent years' data to measure the achievement of this objective.

OBJECTIVE 5: To maintain supplemental support services to migrant students at the current level during the project period.

ACTIVITIES

1. Fund LEAs to provide supplemental support services (emergency medical/ dental, nutritional and social services) for migrant students, according to needs-based criteria and priorities of service.

2. Provide accident insurance coverage for migrant students through an SEA contract in accordance with priority of services requirements.

3. Coordinate local migrant projects with migrant health centers, other health providers and coordinate local projects with LEAs' National School Breakfast and Lunch Programs.

4. Coordinate SEA efforts with state agencies to provide services and/or disseminate information to LEAs in health and other support areas.

EVALUATION

The MSRTS Participation Report as substantiated by local personnel reports for completeness and accuracy will be used to determine the program funded participation in the supplemental support aspects of the state program. In addition, the SEA will gather data from the on-site monitoring and end-of-the-year evaluation reports on the services provided by other coordinating agencies and programs to determine that the level of service has been maintained.

Pertinent indicators of achieving this objective will also be found in maintaining attendance percentages and the reports on direct health services through the state's accident insurance program.

OBJECTIVE 6: To maintain current levels of usage by Arizona's MCEP in MSRTS and to involve eighty percent of migrant paid staff in at least one staff development activity.

ACTIVITIES

1. Fund the State-Wide Services Project through the LEA to:

    a) Provide training and technical assistance to LEA project personnel in ID&R, MSRTS, Project Writing and Evaluation.

    b) Provide training to LEA project personnel on instructional skills in areas such as reading, language, mathematics, thinking, etc.

    c) Assist in on-site monitoring of LEA projects.

2. Maintain and supervise the statewide operation of MSRTS.

3. Monitor LEAs for program quality and compliance.

4. Maintain computer data and word processing capabilities to facilitate SEA operations and management functions.

EVALUATION

The SEA will continue to gather data on the number of in-service, training and technical assistance activities which are carried out in the state. The number of parents participating in all aspects of the program will be reviewed to ensure continuing levels of involvement.

The MSRTS reports verifying the quantity of data will be linked with quality control measures to ensure both the amount and accuracy of the state's recorded data. In addition, monitoring visits will be used to review and assist in program implementation.

OBJECTIVE 7: To increase the involvement of parents in the educational process by ten percent.

ACTIVITIES

1. Maintain State Migrant Parent Advisory Councils (SMPAC) and local MPAC.

2. Provide training to migrant parents through the local MPAC or other cooperating programs in order to better coordinate home activities with learning at school.

3. Conduct a statewide assessment of parents' needs.

4. Encourage LEAs to involve migrant parents in local school activities (i.e., Parent Teacher Association, parent conferences, field trips, etc.)

5. Coordinate with Adult Basic Education (ABE) and other community sources to provide literary and other educational opportunities for parents.

6. Encourage activities which will involve parents and children in a learning environment.

EVALUATION

The effectiveness of the activity will be evaluated by gathering the results of each LEA's project objectives. In addition to the data used to evaluate whether an LEA has achieved desired outcomes for parent involvement, a standard list of parent activities will be included in the SEA's end-of-the-year reports with indicators of the number of parents participating in each area.

The number of participants in both SMPAC and MPAC activities will also be collected and compared as an indicator of effectiveness.

4. Statewide Evaluation and Program Improvement

a. Sustained Performance of Students:

The SEA will use MSRTS data reports to compare achievement test scores over a two-year period of formerly migratory students who have participated in a full-year program for at least two years in order to determine whether educational performance is sustained for at least one school year.

b. Report to the Secretary:

The SEA uses two processes for collecting and aggregating evaluation data from LEAs for its biennial report to the Secretary of Education.

1) Data is collected from end-of-the-year evaluation reports. Each project supported with migrant education funds is required to submit a Performance and Evaluation Report to the SEA upon completion of the project. The LEA reports include sections on the number and types of instructional services rendered, number of students graduating, student achievement test scores, staff employed, local MPAC activities, coordination with other programs, number and types of health services rendered, number and types of nutritional services rendered and staff training activities. Information from these LEA reports is used by the SEA to prepare its Annual Review and Evaluation Report.

2) Data is collected from MSRTS. Each operating school district submits student information to the data base of MSRTS in Little Rock, Arkansas. A report based on this information is prepared for each state by MSRTS. The report includes the number of migrant participants during the regular and summer terms by gender, year of birth, migrant status, racial/ethnic group and the number of participants by instructional and supporting service areas.

Each migrant student participant's achievement test score is also reported to MSRTS by the SEA. These test scores are based on the results of the ITBS and the TAP taken by all grade 2-12 students in Arizona in the spring of 1991. In 1992 through 1994, a shift to fall testing and the state's Arizona Student Assessment Program program will be made. To ensure the availability of adequate achievement test information, the migrant program will coordinate with the regular Chapter 1 program testing procedures.

c. All Arizona project applications are being written with measurable objectives. At the end of the project year, these objectives will be sent to the LEAs as part of the end-of-the-year reporting and evaluation process. The evaluation of their objectives will be submitted to the ADE. Those projects not meeting an objective will then enter into an agreement with the MCEP Unit for a review and revision process in which consultant services will be available to help them analyze needs and plan for program changes which must be included in the next year's proposal. The project for that following year will not be approved unless the agreed upon changes are made.

5. Identification and Recruitment

Arizona's plan for the ID&R of all eligible currently and formerly migratory children in the state includes the following strategies.

a. The first step in finding migrants is to determine the locations in Arizona where agricultural activity requires the use of temporary or seasonal workers. To accomplish this, the SEA may either use information provided by the Arizona Cooperative Extension Service or other reliable sources.

To identify eligible children within a project area, the following procedures are used.

1) Home-school liaison/recruiters make contact with new arrivals to determine their eligibility. School and community resources are employed to broaden the liaison/recruiter's scope of contact. The materials provided by the Pennsylvania ID&R project have been disseminated and serve as guidance for this process.

2) The families of students enrolled from the previous year are contacted annually to determine if subsequent moves have been made.

3) MSRTS lists students whose last qualifying move involved a site in Arizona but who have not yet been identified in Arizona. These lists are distributed to all LEAs by the SEA. In addition, a list that shows Arizona as home base for some students who have not yet been identified in Arizona, is also distributed to the LEAs for locating migrant students in their area.

These MSRTS lists are analyzed to determine parts of the state where moves have been made which involve Arizona but no identification of students has taken place. (See map 5d(2)b, p. 42.)

Efforts are then made on a periodic basis to do one of the following:

- send a home-school liaison/recruiter from an adjoining project or cooperating agency into the area to identify and recruit families
- develop an identification project to determine the number of eligible students and the need for services
- correspond with districts to determine if there is scope and sufficiency for either of these

b. Each operating school district hires at least one person to identify and recruit eligible migratory children living within and outside their school boundaries. Some of these liaison/recruiters have flexible work schedules that allow them the time to canvass all possible areas where migratory families live. Liaison/recruiters are thoroughly trained by personnel from the SEA. The Systematic Methodology for Accountability in Recruiter Training (SMART) model is used for training liaison/recruiters, as well as ID&R materials developed by Pennsylvania, through a Section 143 project. Training is provided to liaison/recruiters individually or in small groups at different LEAs around the state throughout the year.

To maximize the ID&R of migratory children, the SEA has grouped participating LEAs into eleven geographical clusters (see clusters, p. 23). Each group has from two to seven liaison/recruiters working in their particular geographical area. Each group meets periodically to map strategies for locating all migrant children, ages three through twenty-one, who have not yet been identified including preschool, dropout and nonproject youths. Each group develops a cooperative plan for enhancing the ID&R of all eligible children in their area.

Liaison/recruiters are urged to intensify their ID&R efforts when currently migratory children move into the area due to crop harvests in their particular region. The cluster groups are also used to help assess changing conditions that will affect the migrant student population in their areas. They are asked to report to the SEA changes in housing, agricultural and school district plans that may affect the operation of the migrant program, i.e., addition of new schools, restructuring of other supplemental programs, etc., in their school districts.

CLUSTERS (see map 5d (2)a, p. 41)

1. NW Arizona

Parker
Ehrenberg
Aguila
Bicentennial

2. SE Arizona

Elfrida
Valley Union
Willcox
Pearce
Ash Creek

3. NW Maricopa

Peoria
Dysart
Glendale Elem.

4. Central Maricopa

Phoenix Union
Phoenix Elem.
Wilson
Murphy
Roosevelt

5. Southern Yuma

Gadsden
Somerton
Yuma Union
Yuma Elem.
Crane

6. West Pinal

Stanfield
Maricopa
Casa Grande Elem.
Casa Grande Union
M.C. O'Brien

7. SW Maricopa

Pendergast
Littleton
Tolleson Elem.
Tolleson Union
Litchfield
Avondale
Fowler
Agua Fria Union

8. Eastern Maricopa

Mesa
Chandler

9. Eastern Yuma

Mohawk Valley
Wellton
Antelope Union
Hyder

10. East Pinal

Eloy
Santa Cruz
Coolidge
Florence
Picacho
Marana

11. Far West Maricopa

Paloma
Gila Bend
Buckeye Elem.
Ruth Fisher
Arlington
Liberty
Palo Verde
Buckeye Union

c. The review of Certificates of Eligibility (COEs) takes place during the on-site monitoring visits. A random sample of COEs are reviewed for completeness and accuracy and include two processes: the comparison of the COE with the MSRTS records for accuracy and completeness and the review of the COE for consistency with the agricultural activity of the area and the supporting evidence for the family.

To further ensure a quality control system, projects are required to have each COE reviewed for correctness by a person other than the interviewer. This person, whose signature also appears on the COE, must be familiar with the eligibility requirements of the program, the families and the agricultural activity in the area. The SEA will annually select a random sample of the COEs for reverification. In this process an SEA program specialist will revisit the families listed on the selected COEs to ensure that the information recorded there is consistent with this independent review.

The in-service provided to project ID&R personnel will include:

- instructions on the completion of the COEs
- eligibility definitions and appropriate ways to determine a child's eligibility according to definition
- the types and cases that need additional narrative or documentation
- the decision process which is to be used to determine eligibility
- the types of industries which may be candidates for LEA or state industry studies

The state has developed materials to accompany the COE which provides the basis for this training in connection with the materials from the SMART manual and the ID&R materials from the Pennsylvania 143 project.

Annual training will take place at a statewide meeting in August for all liaison/recruiters, records clerks and project coordinators. Follow-up meetings will be held as needed at regional sites. Individual assistance and training for those not in attendance at the August workshop will be available from both the SEA and the State-Wide Services Project. The SEA has a program specialist who has the responsibility of ID&R for the state and it will be a part of that specialist's responsibility to resolve problems of eligibility under the direction of the State Director. The specialist will also place in written form the answers to questions which are not already in the current ID&R materials and disseminate them to project personnel.

d. Maps showing:

1) The map, labeled 5d(1) on page 40, shows the location of agricultural activities in Arizona that require the use of migratory labor. There are no fishing activities in Arizona that require the use of migratory labor.

Harvest seasons in each map region are as follows:

Region A	March 1–December 3
Region B	April 1–June 25
Region C	May 1–September 15
Region D	April 1–May 31
Region E	January 1–August 31
Region F	September 1–April 30

2) The maps, labeled 5d(2)a and 5d(2)b on pages 41 and 42, show where ID&R has been or will be conducted throughout Arizona. The numbers one through eleven given on map 5d(2)a represents the cluster groups as described in item 5b.

f. There are two areas in the state where qualifying agricultural activities are conducted but where ID&R activities will not be undertaken. These two areas are in Graham and Pima Counties. Qualifying agrricultural crops are grown and farmworkers are used to harvest them, however, because of the lack of housing, the workers do not reside there. They either drive their own cars or are transported to harvest the crops. Their dependents remain where their current residences are located and the children attend school there. For example, children of migrant and seasonal farmworkers live and attend schools in Cochise County, but the farmworkers themselves harvest crops in Graham County. ID&R activities are conducted by LEA personnel from schools in Cochise County where the children are or will be attending school. Only those families which move into the area under qualifying conditions are identified.

6. Children residing in the state to be served by the MCEP

a. The three tables given in Section III–Tables and Budget Narratives–give the following information:

1) Table A(1), on page 47, gives the estimated number of children, by grade levels, expected to reside and to be served with MEP funds.

2) Tables A(3), on page 48, and A(4), on page 49, give the estimated number of children, by age groups, expected to reside in the state and to be served with MEP funds during the regular and the summer school terms.

b. All areas in the state having a significant number of currently migratory children will be served by the MCEP. Formerly migratory children may be served only after the needs of currently migratory children have been met.

7. Location of Planned Projects

a. Criteria for determining location of projects

1) Migrant projects are established by the SEA in areas that have the greatest number of currently migrant children. These areas are selected by using a statewide identification survey to determine where currently migratory farmworkers and their families are concentrated. This process of locating areas in the state where migratory farmworkers are needed was explained in item number five.

2) After the identification survey is completed, the SEA makes a statewide needs assessment to determine the educational and supportive needs of all migrant children in the state. The SEA then determines where migrant education projects will be implemented.

3) In 1991 through 1994, the SEA expects to implement projects through at least forty-two LEAs and six multiple district projects to provide supplemental instructional services to migrant children. These instructional services will be concentrated in grades preschool through twelve. Formerly migratory children may receive project services only after the needs of the currently migrant students have been met.

b. Number of Projects Expected to be Approved

1) The SEA expects to approve at least twenty-six local migrant projects in each of the next three years which will provide direct supplemental services to migratory children during the regular school term only.

2) The SEA expects to approve at least twenty-two local migrant projects in each of the next three years which will provide direct supplemental services to migratory children during both the regular and summer school terms.

c. A map, labeled 7c on page 43, and an attachment to it, shows the approximate locations of projects planned for 1991-92 through 93-94.

8. Services to Private School Children

LEAs that participate in the MCEP are responsible for identifying all migrant children residing in their LEA, including those attending private schools. LEAs are required to document whether or not they have eligible migrant children that reside in their school district enrolled in nonpublic schools. If a nonpublic school has enough migrant children to provide a program of the size, scope and quality to give reasonable promise of success, then the public school must inform them of the migrant children's opportunity to participate in the public school's migrant program services.

9. Coordination With Other Programs

a. Programs Administered by the U.S. Department of Education (USDE)

1) Arizona does not have either the HEP or CAMP programs. However, the SEA disseminates information regarding the two programs to participating high schools so that they can make the information available to migrant students interested in applying for admission into these pro-

grams in other states. The SEA will cooperate in any efforts which would bring a HEP or CAMP program into the state.

2) The Education for the Handicapped Program. The SEA has been very successful in coordinating local migrant projects with Special Education programs in the LEAs. Over 1,000 migrant students annually receive special needs services through the LEAs' Special Education programs.

3) Other Chapter 1 programs. Every local migrant project is coordinated with the LEAs' regular Chapter 1 programs. During 1991, more than 4,900 migrant students will receive assistance in reading, language and mathematics through the LEAs' regular Chapter 1 programs.

b. Programs Administered by the Departments of Agriculture, Labor, Health and Human Services and the Environmental Protection Agency

1) The SEA has and will continue to coordinate local migrant education projects at various sites with the Arizona Affiliated Tribes' Migrant Head Start program.

2) As a member of the Arizona Association of Community Health Centers, Inc., the SEA is working jointly with other agencies that provide primary care services to migrant farmworkers and their families. As a result of this association, the SEA has been able to provide valuable health services that migrant families are not able to receive in some isolated farming areas. The SEA also disseminates information to all local migrant projects regarding services available to migrant families through Community Health Services. LEAs located near the four Health Centers in Arizona are required to use these services.

3) In coordination with the Arizona Department of Economic Security and the Portable Practical Education Preparation, which receive Community Services Block Grant Program and Section 402 JTPA funding, the SEA has been able to provide programs of training and employment to migrant students and their families. A coordination of efforts will take place whenever possible at both the SEA and LEA levels. An FY1991 demonstration project, coordinated with JTPA, Drug and Alcohol Prevention and migrant funds, to provide a Registered Nurse to a group of small, rural migrant project schools will be continued and replicated based on the outcome of the project.

4) The SEA has and will continue to coordinate local migrant projects with the National School Lunch and Breakfast programs at the LEA level. Over 15,000 migrant students annually receive breakfast, lunch and snacks, at no cost to them or at reduced prices, through these two programs which are administered by the U.S. Department of Agriculture.

5) A number of LEAs have been very successful in coordinating their migrant projects with the ABE Program. Migrant parents and migrant youths have been receiving assistance in learning English, ESL, citizenship and for some, completing GED requirements. The SEA will continue to coordinate the services of the ABE Program through the LEAs with support from the SEA. Services provided by the regular Chapter 1, Bilingual and Vocational Education programs will continue to be coordinated with migrant projects at the local level.

10. Coordination With Other States

a. To ensure that the services it provides migratory children are coordinated with the services they receive in other states, the SEA requires that operating LEAs make full use of the MSRTS. This requirement is part of the standard application assurances that LEAs must agree to before project approval is granted. To ensure that accurate and current educational and health information is available for migrant students in a timely manner, the SEA requires that a well-trained MSRTS staff be maintained at each operating LEA. For optimum student benefit, the SEA provides ongoing training and technical assistance to the LEAs on the use of educational and health records. To ensure that LEAs are transmitting complete, accurate and timely information on migrant students to other states and school districts, the SEA periodically monitors each operating LEA site. SEA developed MSRTS reports are also used to assure compliance with this requirement.

b. To ensure that the LEA's adaptation of services to assist currently migratory children meet the requirements of educational agencies in other states and school districts, the SEA:

- requires operating LEAs in Arizona to submit credit accrual information on all secondary students
- provides training to personnel from the operating LEAs on how to interpret, adapt, implement and integrate data received from other states and school districts
- facilitates visitations by personnel between locations in other states which send significant numbers of mobile students to Arizona sites
- intends to cooperate to the extent possible with all efforts to develop a national diploma for migrant high school students and to facilitate the education of students migrating to and from Mexico

c. To ensure interstate communication and cooperation, the SEA will participate in the Interstate Migrant Education Council through the Education Commission of the States and participate in advisory and working committees of National Association of the State Directors of Migrant Education and 1203 projects.

11. Parental Participation

a. The SMPAC is composed of parents elected from each of 12 project districts. These districts will be selected based on size, composition and geographic location to give representative consistency to SMPAC. Membership on the SMPAC will consist of the State Director (or designee), the MCEP program specialist responsible for parent involvement, the parents elected from each year's project districts and LEA parent coordinators. SMPAC member districts will be rotated on a four year cycle.

b. The SMPAC meets at least four times a year to consult with the SEA in the planning, operation and evaluation of the Arizona MCEP both for the state program and local projects.

1) One meeting of the SMPAC is devoted to planning the MCEP and local projects. During this meeting, plans for the MCEP and LEA projects

are presented and discussed with SMPAC. SMPAC then makes recommendations for modifications of the MCEP. The SEA also uses a parent survey form to solicit input from all migrant parents for the development of the MCEP.

2) Members of SMPAC visit local migrant project sites to see the operation of a local project. Another SMPAC meeting during the year is devoted to reviewing, analyzing and discussing the evaluation results of the MCEP as compiled in the "Annual Review and Evaluation Report." Migrant students' achievement test results are presented to the SMPAC. These test results are discussed and analyzed with the members of the SMPAC, as are the attainment of project objectives by the LEAs. Other aspects of the program, such as enrollment counts, services provided and dropouts are also discussed with the SMPAC.

c. The SEA will ensure that regular and summer programs and projects are implemented with the meaningful consultation and involvement of the parents of participating children through the procedures described in "1)" above.

d. Each LEA proposal will include a measurable parent involvement objective. The activities designed to meet these objectives will encourage parents to become more actively involved in the educational process of their children. In many cases, this has and will continue to result in the adults seeking education for themselves. The ABE services will be cooperatively sought as a vehicle for providing literacy and other educational opportunities for parents.

12. Fiscal and Administrative Requirements

The SEA will ensure that operating agencies will comply with the following requirements for maintenance of fiscal effort, supplementation of non-Federal assistance and comparability of services:

a. The SEA, after reviewing the eligibility of LEAs for Chapter 1 grants, has determined that areas in which children are to be served by the MCEP fulfill the requirement that state and local support for education has been maintained at 90 percent or more of the level of the second preceding year, as indicated by data submitted by each of the participating LEAs.

b. The SEA, prior to its approval of a local project, reviews the state and locally funded services migratory children will receive and determines that except as provided by Section 1018(d), Chapter 1 MEP funds will be used to supplement and not supplant those state and local funds for which migrant children qualify as students and residents of that school district.

c. The SEA, prior to its approval of a local project, reviews the state and locally funded services migratory children will receive and determines that taken as a whole, the state and locally funded services available for migratory children, when they can be served, are comparable to those provided at the same time for nonmigratory children.

13. Use of Funds.

a. The SEA will use Chapter 1 Administrative funds to defray costs of administering the Chapter 1 MEP.

1) Paying a portion of the salaries for the State Migrant Program Director, two Education Program Specialists, one Accounting clerk and one Grants Management clerk to perform the following administrative functions:

- prepare SEA's monitoring and MCEP State Plan
- design, publish and distribute the application performance and evaluation forms
- technical assistance given to develop LEA applications
- review of applications, amendments and reports from LEAs
- monitoring of LEA Migrant Education Projects
- print, publish and disseminate the state plan and the end-of-the-year performance and evaluation reports
- maintenance and control of MEP funds and accounting procedures
- coordinating local projects with other public and private agencies

2) Paying a portion of the employees' fringe benefits, processing costs and State Risk Management Insurance. The Chapter 1 program director for the state will coordinate with the MEP to use their personnel to accomplish some of the in-service for the computerization of the administrative functions of both units and to meet additional program needs including determination of comparability, maintenance of effort and program evaluation.

b. The SEA will use MEP funds to pay for the cost of functions which are carried out at the state level and which are unique to the Chapter 1 MEP including:

- the operation of the MSRTS
- statewide ID&R activities
- facilitation and coordination of in-service training to be provided by the SEA and State-Wide Services Project to teachers, aides, support personnel and parents
- coordination of interstate programs and projects with state and local projects
- processing of reports submitted by operating agencies to the SEA
- maintaining inventories of equipment and property approved for purchase

- negotiation and award of contracts
- evaluation activities other than the designing of report forms and preparation of the SEA's evaluation report to USDE

c. The SEA will ensure that Chapter 1 Migrant Education Program funds will be used only to meet the allowable costs incurred by the SEA and its subgrantees by:

- requiring quarterly and final financial reports to account for expenditures
- monitoring on-site to determine compliance with financial expenditures as described in the state approved applications
- requiring fiscal and compliance audits on a regularly scheduled basis
- review and control of monthly budget summaries that indicate activities for which Chapter 1 Administrative funds are expended
- documenting activities assigned each staff member
- regularly reviewing staff development plans, evaluations and workload plans.

Section B - Program Plan—Local Projects

1. Ensuring Compliance

To ensure that LEAs' applications are approved only if they comply with the requirements of the applicable regulations and provisions of the state plan, the SEA:

- uses a comprehensive standard application which an authorized school official signs to certify compliance
- requires each LEA to submit an ADE developed statement of assurances, also signed by an authorized school official
- uses standardized instruments for monitoring each local project on-site

Both the standard application and monitoring instruments encompass detailed requirements of applicable regulations and provisions of the state plan.

2. Proper Use of Funds

The SEA uses the following procedure to determine the amount of each subgrant so as to ensure that, on a statewide basis, currently migratory children have priority for service.

a. The SEA uses a needs-based formula which includes an amount reflecting a proportion of migrant funds earned for the state by the LEA, coupled with an amount based on the needs of the migrant children in the LEA.

   1) Each LEA must assure in its' application to the SEA that currently migratory children ages 3 to 21 will be given priority for service. MSRTS FTE reports are used by the SEA to determine the number of formerly migratory students enrolled by an LEA as compared to the number who are currently migratory.

   2) The application review process is also used by the SEA to adjust LEA funding levels to amounts which are justified by actual services to be provided according to determined student needs.

   3) On-site monitoring visits are used by the SEA to ensure compliance with this requirement.

b. To ensure that Chapter 1 MEP funds are not used to provide services to migratory children that are available from other sources, the SEA requires each LEA to describe in its' application how it has coordinated services with other sources. When no other sources exist, then LEAs may use MEP funds to supplement those needs.

3. Size, Scope and Quality

To ensure that the size, scope and quality of funded LEAs will be sufficient to give reasonable promise of substantial progress towards meeting the special educational needs of migratory children being served, the SEA uses the following:

a. In order to implement an effective migrant project of sufficient size, scope and quality, an LEA must have twenty-five or more migrant students to establish a new project. When geographic and local conditions warrant, extensions of existing projects may be allowed to serve smaller groups.

b. To ensure that funded local projects are of sufficient size, scope and quality, the SEA requires that an annual assessment of needs be conducted by each LEA and that selection of participants be based on migrant children who have the greatest need for special assistance.

c. A-128 audits and on-site monitoring visits to each LEA by the SEA are used to ensure compliance with this requirement.

4. Parental Involvement and Consultation With Teachers

The following requirements and procedures are used by the SEA to ensure that a local MPAC is established for every regular school year project and the LEA plans and involves the MPAC through meaningful consultation and involvement of parents of the children to be served.

a. The SEA ensures parental involvement by use of the application development, the application review, the application approval process and the monitoring process. Every LEA is required to establish an MPAC with the majority of members being migrant parents. The name and address of each council member must be included in the LEA's application before approval is given. The application includes an assurance signed by an LEA official that it has established an MPAC. Documentation of meaningful consultation and involvement of parents in project design and implementation is checked during the SEA's on-site monitoring visits to the LEAs.

b. The SEA requires that each LEA project application includes a description of how the project has been designed and will be implemented in consultation with teachers, including early childhood education professionals and librarians, when appropriate. Teachers at the LEA level are consulted in the planning of migrant instructional services through teacher referral forms and LEA migrant staff/teacher meetings. There is also constant ongoing consultation between teachers and migrant staff during the regular school year in planning MEP services. The SEA checks for documentation on teacher consultation and involvement during on-site monitoring visits.

5. Coordination of Services and Instruction

a. The SEA requires each operating LEA to give a description in its project application of how it is going to assure that every migrant child will participate in regularly provided state and local programs. One of the assurances of the standard application pertains to this requirement and the SEA checks for this during its on-site monitoring visits to the LEAs.

b. The description that the LEA provides in "a" above must also tell how the services provided with migrant program funds are going to be coordinated with all federal and state supplemental programs on the same basis as non-migratory children. Information regarding program services to which migrant children are entitled is disseminated by the SEA to each operating LEA project. Documentation showing that migrant program services have been coordinated with other program services is examined during on-site monitoring visits to the LEAs.

c. The SEA has and will continue to require operating LEAs to coordinate, when possible, their parental involvement components with programs under the Adult Education Act.

6. Complaint Resolution

Arizona's MCEP uses the complaint procedures set forth by the State Board of Education:

R7-2-804. Compliance with Federal Statutes or Regulations

A. This Rule prescribes procedures to be used in filing and processing written complaints alleging the failure of a public agency or school district to comply with Federal Statutes or regulations applicable to Federal education programs conducted and subject to Title 34, Code of Federal Regulations, § 76.780.

B. The Arizona Department of Education (Department) shall accept and investigate complaints provided that the complaint:

1. Is written and signed by the complaining party or his or her designated representative;

2. Sets forth the facts forming the basis of the complaints; the facts set forth in the complaint, if true, could constitute noncompliance by a public agency or school district; and

3. Contains a statement that the matters complained of have already been brought to the attention of the agency or school district Governing Board, and have not been resolved to the satisfaction of the complainant.

C. Upon receipt of a complaint setting forth the criteria in B., the Department shall immediately begin an impartial review which may include on-site investigations. If in the course of the review it is determined that the nature of the complaint is not a matter of noncompliance, the complainant will be so informed and advised of appropriate means of resolving the complaint.

D. A written decision with specific findings shall be issued by the Department within 60 calendar days of receipt of the written complaint. If corrective action is required, such action shall be designated in the decision and shall include the time line for correction and possible consequences for continued noncompliance. A copy of the written decision shall be sent to the

complaining party and the agency involved on or before the expiration of the 60-day period. An extension of this time line will be permitted only if exceptional circumstances exist with respect to a particular complaint.

E. If there appears to be a failure or refusal to comply with the applicable law or regulations, and if noncompliance or refusal to comply cannot be corrected or avoided by informal means, compliance shall be effected by the Superintendent and the State Board of Education by any means authorized by law or by rule and regulation. The Superintendent shall retain jurisdiction over the issue of noncompliance with the law or regulations and shall retain jurisdiction over the implementation of any corrective action required. However, nothing herein shall preclude the availability of an informal resolution between the complainant and the agency or school district involved, nor shall this Rule preclude the availability of any administrative hearing remedies to resolve such disputes or judicial review of such administrative remedies.

F. If, pursuant to an investigation by the Department, the Superintendent finds a failure to comply with applicable law or regulations, he or she shall so inform the agency or school district and compliance shall be obtained by informal means whenever possible. If corrective action is required, such action shall be designated in this decision and shall include the time lines for correction and the possible consequences for continued noncompliance.

G. A summary of each complaint received and investigated by the Department and the decision of the Superintendent shall be submitted annually to the State Board of Education for informational purposes only. Any personally identifiable information shall be deleted from the report to the State Board of Education.

H. The complainant may request the U.S. Department of Education to review the final decision of the Superintendent. The Department shall inform a complainant of the procedures for requesting a review by the U.S. Department of Education.

Arizona's MCEP uses the appeals procedure set forth by the State Board of Education:

R7-2-805. Education Division General Administrative Regulations

A. This Rule prescribes procedures to be used for appealing a decision by the Arizona Department of Education (Department) relating to Federal programs administered by the Department and subject to the Education Division General Administrative Regulations (EDGAR) Title 34, Code of Federal Regulations § 75 and 76.

B. A school district or public agency may request a hearing if it alleges that the Department violated a Federal statute or regulation by:

1. Terminating further assistance for an approved project;

2. Ordering, in accordance with a final state audit resolution determination, the repayment of misspent or misapplied Federal funds;

3. Disapproving or failure to approve the application or project in whole or in part;

4. Failing to provide funds in amounts in accordance with the requirements of statutes and regulations; or

5. Not approving the school district or public agency's proposal for funding.

C. When a school district or public agency requests a hearing, the Superintendent of Public Instruction (Superintendent) shall select a hearings/ appeals panel from Department staff other than those within the same division as the Federal program area under which the appeal arose.

D. Hearing Procedures:

1. An applicant must request a hearing by notifying the Superintendent, by certified mail, of its decision to appeal a decision as set forth in Subsection B of this Rule. If the applicant is or represents a school district, authorization to seek a hearing must come from the Governing Board of that school district.

2. The request for a hearing must set forth the nature of the complaint and the facts on which the complaint is based.

3. The applicant shall request a hearing within thirty (30) days of the date the notice of the Department action was sent. For purposes of this Rule, the date of notice by the Department is the date of sending notice of the Department action.

4. A hearing shall be scheduled before the appeal panel within thirty (30) days from the receipt of the request.

5. The appeals panel chairperson shall give at least ten (10) days notice of the hearing date to the complaint.

6. The parties may submit written materials no later than five (5) days prior to the hearing, such materials to consist of six copies.

7. At the hearing the parties may present evidence in writing and through witnesses and may be represented by counsel.

8. The length and order of the presentation may be determined by the appeals panel chairperson.

9. If the complainant or authorized representative fails to appear at the designated time, place and date of the hearing, the appeal shall be considered closed and the process terminated.

E. Decision:

No later than five (5) days after the hearing, the appeals panel shall forward to the Superintendent its recommendation relating to the school district or agency's request for review. Within ten (10) days after the hearings, the

Superintendent shall issue his or her written ruling, including findings of fact and reasons for the ruling. If the Superintendent determines that the Department's action was contrary to the statutes and regulations that govern the applicable program, the Superintendent shall rescind the action.

F. Appeal:

If the Superintendent does not rescind the Department action, the applicant shall file a notice of appeal with the U.S. Department of Education within twenty (20) days after the applicant has been notified by the Superintendent of his or her decision by certified mail.

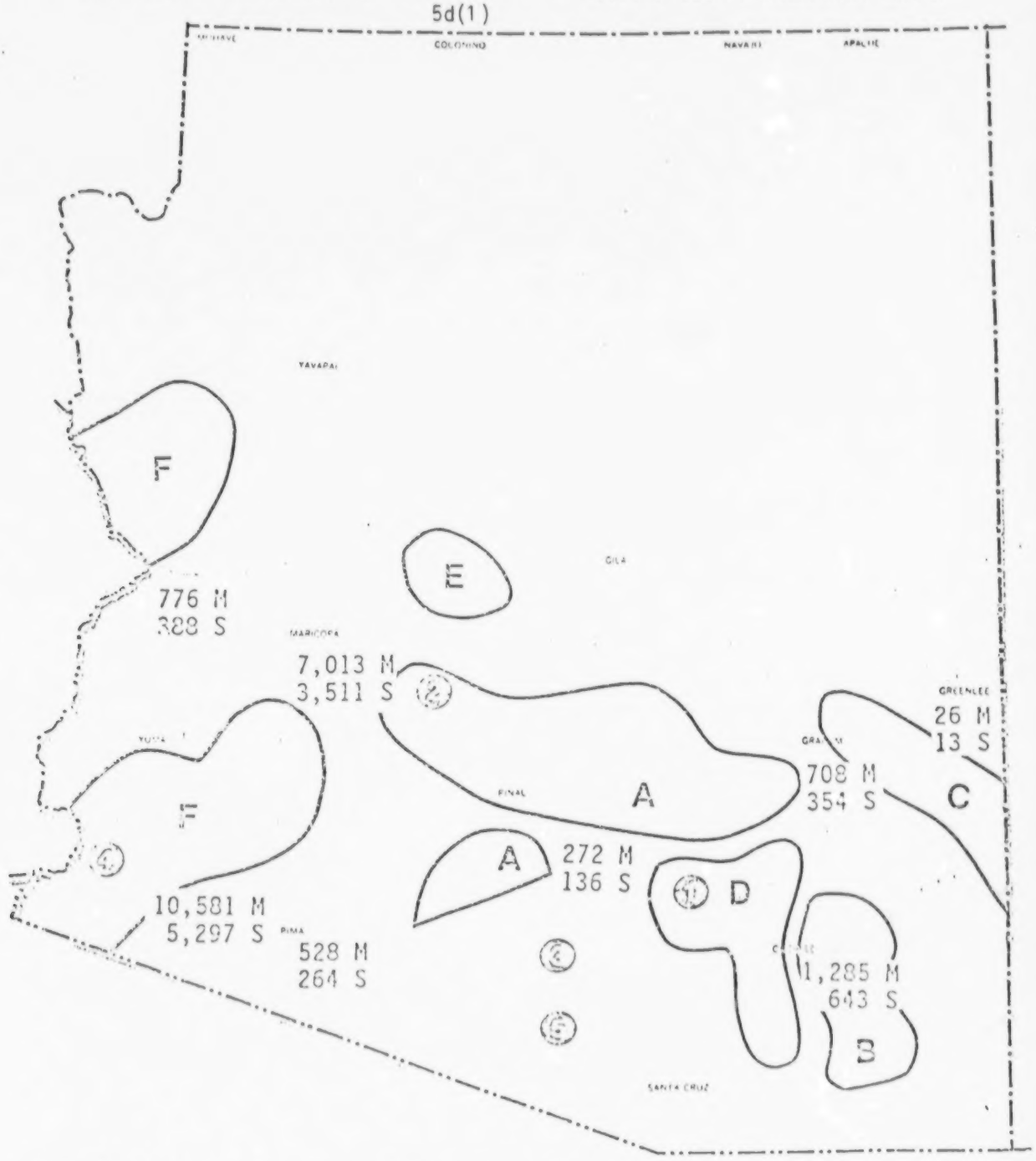
G. State Board of Education submission. The Superintendent shall annually submit to the State Board of Education, as an informational item, summaries of all decisions including the findings of fact of hearing procedures conducted pursuant to this Rule for State Board of Education review.

The Arizona Department of Education has on file with the U.S. Department of Education the "Certification Regarding Drug-Free Workplace Requirements-Grantees Other Than Individuals."

MAPS

LOCATION OF AGRICULTURAL ACTIVITIES THAT REQUIRE USE OF MIGRATORY LABOR

5d(1)

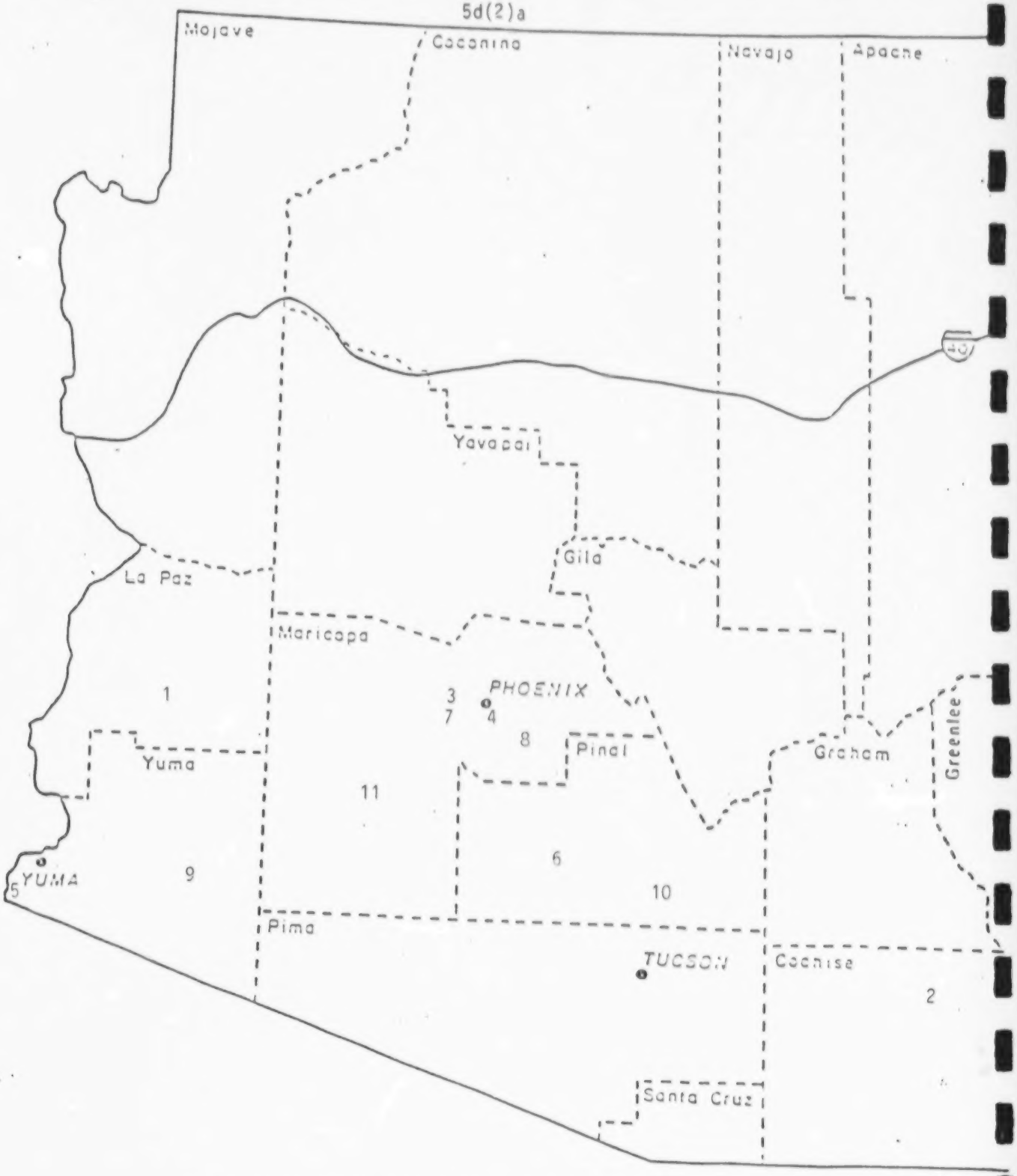


M = migratory and S = seasonal as defined by the U.S. Department of Health and Human Services.

Refer to section 5d on page 24-25

AREAS WHERE IDENTIFICATION & RECRUITMENT HAS BEEN OR WILL BE CONDUCTED THIS CALENDAR YEAR

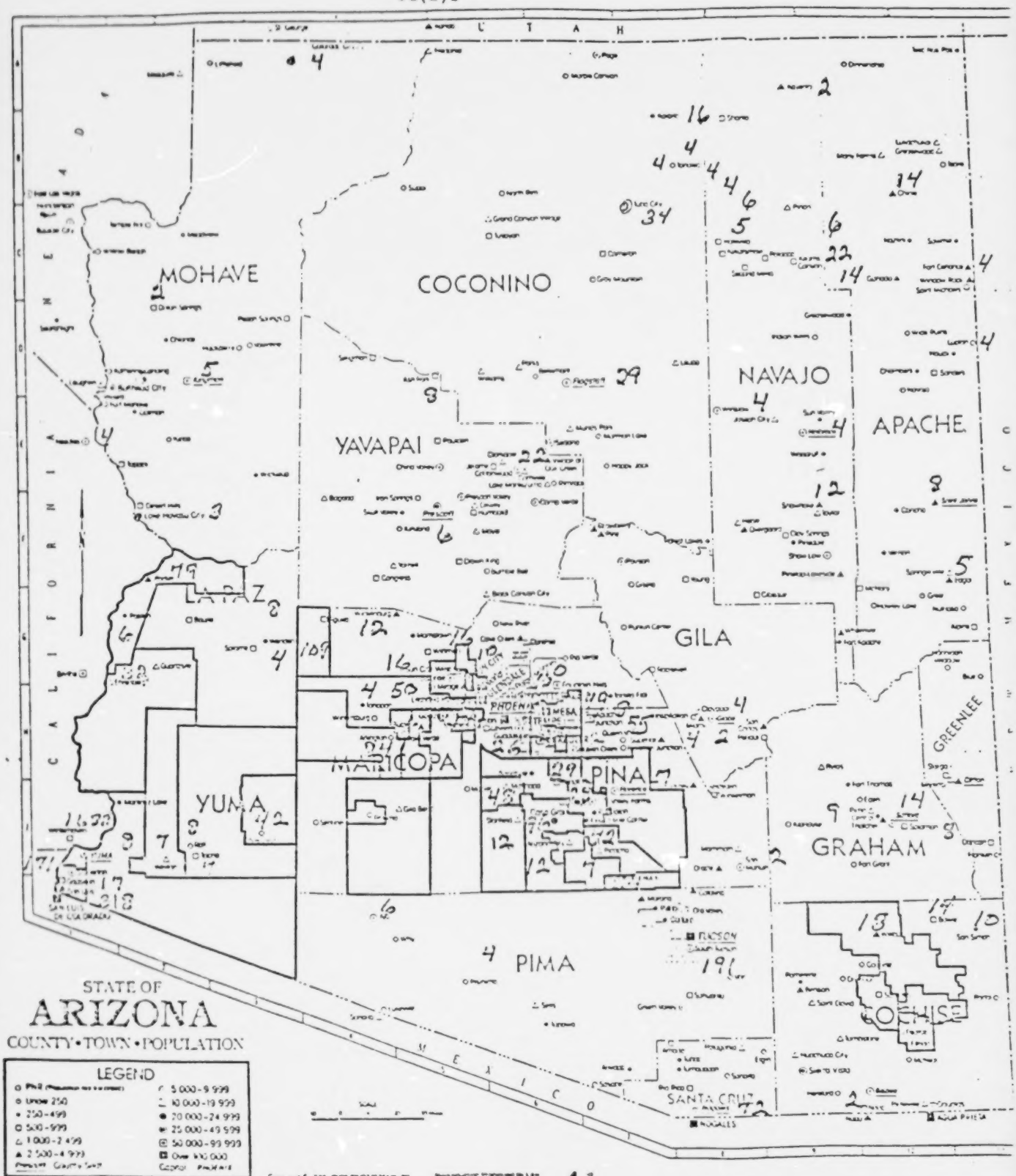
5d(2)a



Refer to section 5b on page 21 and section 5d on page 22.

THESE NUMBERS ARE STUDENTS WHO HAVE BEEN IDENTIFIED IN OTHER STATES BUT NOT IN ARIZONA - 1989-90

5d(2)b



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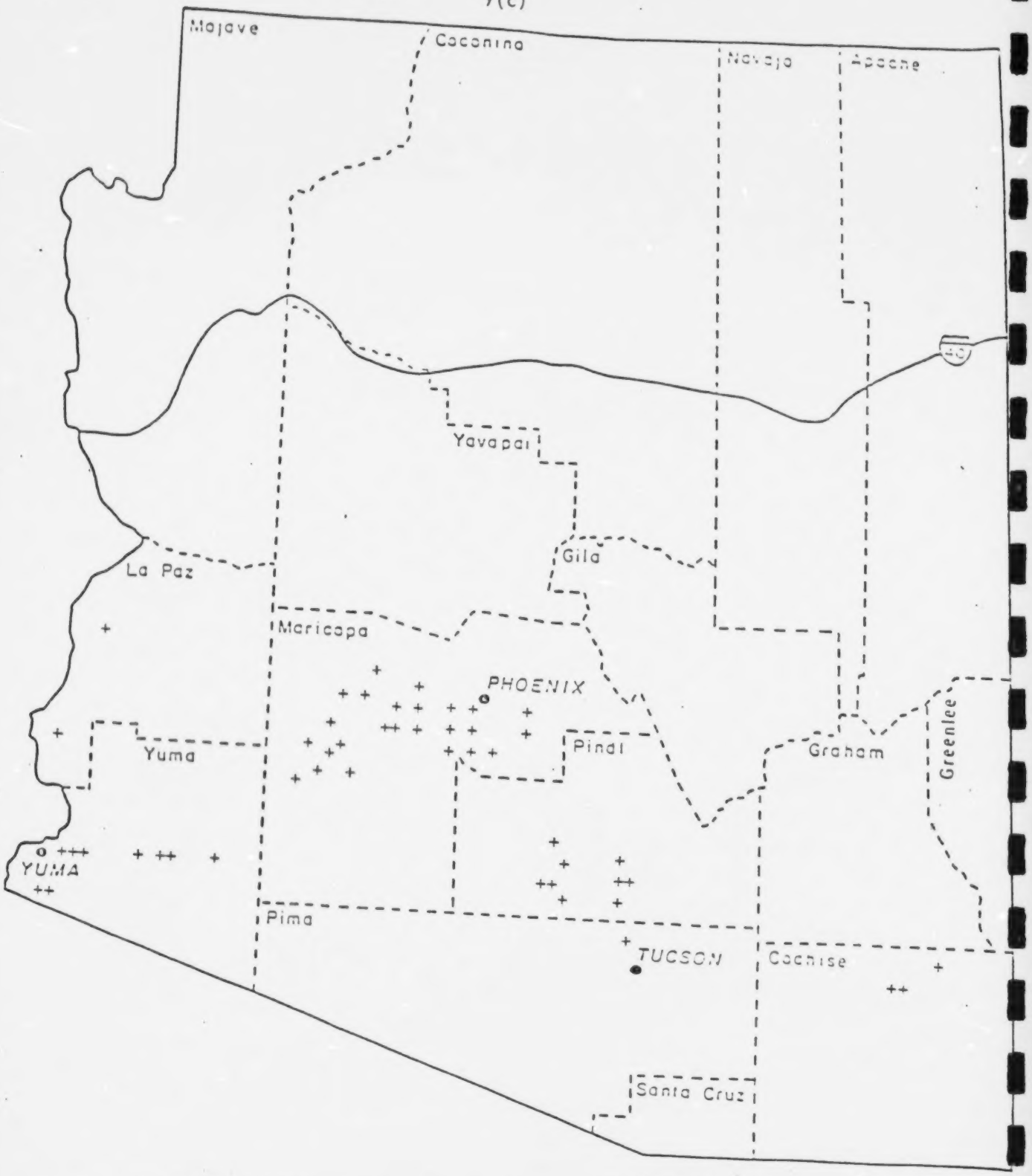
41

OUTLINED DISTRICTS HAD MIGRANT PROJECTS IN 1989-90.
Refer to section 5d on page 24-25.

BEST COPY AVAILABLE

LOCATION OF PLANNED PROJECTS FOR 1991-92
7(c)



+ INDICATES APPROXIMATE LOCATIONS OF PLANNED PROJECTS FOR 1991-92

Refer to section 7c on page 23.

Map Attachment

Local migrant education projects are planned for operation in the following counties in the state:

Cochise County

Elfrida, Pearce and Ash Creek Elementary School Districts, Valley Union High School District, Willcox Unified School District

La Paz County

Parker Unified School District, Quartzsite Elementary School District, Bicentennial Union High School District

Maricopa County

Elementary School Districts		Unified School Dist.	Union H.S. District
Aguila	Paloma	Chandler	Buckeye
Arlington	Palo Verde	Dysart	Phoenix
Avondale	Pendergast	Gila Bend	Tolleson
Buckeye	Phoenix	Mesa	Agua Fria
Fowler	Roosevelt	Peoria	
Glendale	Ruth Fisher		
Liberty	Tolleson		
Litchfield	Wilson		
Littleton			
Murphy			

Pima County

Marana Unified School District

Pinal County

Elementary School Districts	Unified School Dist.	Union H.S. District
Casa Grande	Coolidge	Casa Grande
Eloy	Florence	Santa Cruz Valley
Mary C. O'Brien	Maricopa	
Picacho		
Stanfield		

Yuma County

Elementary School Districts		Union H.S. Districts	County
Crane	Somerton	Antelope	Yuma
Gadsden	Wellton	Yuma	
Hyder	Yuma		
Mohawk Valley			

PART III -- TABLES and BUDGET NARRATIVES

TABLE A (1)
CHILDREN EXPECTED TO RESIDE IN THE STATE AND CHILDREN EXPECTED TO BE SERVED a/

AGRICULTURE

MIGRANT STATUS	AGE		GRADE LEVELS			TOTALS
	1	2	3	4	5	6
	Below Age 3	3 Thru 4	ELEMENTARY Grades K to 8	SECONDARY Grades 9 to 12	UNGRADED	
INTERSTATE						
Reside	590	569	4,872	1,019	659	7,709
Serve		230	3,255	868	14	4,367
INTRASTATE						
Reside	164	155	1,071	186	344	1,920
Serve		57	810	142	3	884
SUBTOTALS (Interstate and Intrastate)						
Reside	754	724	5,943	1,205	1,003	9,629
Serve		287	4,065	1,010	17	5,379
FORMERLY						
Reside	207	450	6,346	2,162	710	9,875
Serve		58	5,334	1,800	52	7,244
TOTALS						
Reside	961	1,174	12,289	3,367	1,713	19,504
Serve		345	9,399	2,810	69	12,623

a/ "Served" means to receive academic and support services provided in whole or in part with MEP funds, except those related to identification and recruitment of migrant children, up to the point of entry into the Migrant Student Record Transfer System.

TABLE A (3)
CHILDREN EXPECTED TO RESIDE AND CHILDREN EXPECTED TO BE SERVED IN THE STATE BY AGE GROUPS a/

REGULAR SCHOOL

MIGRANT STATUS	AGE LEVELS					TOTALS
	1	2	3	4	5	6
	Below Age 3	3 Thru 4	5 through 12	13 through 17	18 through 21	
INTERSTATE						
Reside	591	587	3,553	1,620	178	6,529
Serve		230	2,689	1,185	98	4,202
INTRASTATE						
Reside	164	156	895	330	47	1,592
Serve		57	666	223	22	968
SUBTOTALS						
Reside	755	743	4,448	1,950	225	8,121
Serve		287	3,355	1,408	120	5,170
FORMERLY						
Reside	207	466	4,985	2,942	487	9,090
Serve		58	4,289	2,366	284	6,997
TOTALS						
Reside	962	1,209	9,436	4,892	712	17,211
Serve		345	7,644	3,774	404	12,167

a/ "Served" means to receive academic and support services provided in whole or in part with MEP funds, except those related to identification and recruitment of migrant children, up to the point of entry into the Migrant Student Record Transfer System.

TABLE A (4)

CHILDREN EXPECTED TO RESIDE AND CHILDREN EXPECTED TO BE SERVED IN THE STATE BY AGE GROUPS a/

SUMMER SCHOOL

MIGRANT STATUS	AGE LEVELS					TOTALS
	1	2	3	4	5	6
	Below Age 3	3 Thru 4	5 through 12	13 through 17	18 through 21	
INTERSTATE						
Reside		23	1,014	636	59	1,732
Serve		13	372	93	14	492
INTRASTATE						
Reside		6	292	89	8	305
Serve		5	94	19	1	119
SUBTOTALS						
Reside		29	1,216	725	67	2,037
Serve		18	466	112	15	611
FORMERLY						
Reside		36	3,387	1,923	245	5,591
Serve		25	1,045	217	55	1,342
TOTALS						
Reside		65	4,603	2,648	312	7,628
Serve		43	1,511	329	70	1,953

a/ "Served" means to receive academic and support services provided in whole or in part with MEP funds, except those related to identification and recruitment of migrant children, up to the point of entry into the Migrant Student Record Transfer System.

TABLE B

STATE EDUCATIONAL AGENCY BUDGET SUMMARY a/

OBJECT CLASS CATEGORIES	FEDERAL FUNDING AMOUNTS	
	Chapter 1 Administrative Funds b/	Chapter 1 Migrant Education Program Funds c/
1	2	3
1. SEA ACTIVITIES		
a. Personnel	$33,363	$ 210,666
b. Fringe Benefits	7,673	48,453
c. Travel		20,000
d. Equipment		
e. Supplies		16,200
f. Contractual		179,192
g. Construction		
h. Other	4,458	37,894
i. Total Direct Charges (1a – 1h)	45,494	512,405
j. Indirect Charges		
k. Total (1i + 1j)	$45,494	$512,405
2. LEA ACTIVITIES	XXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXX	$6,743,982
3. TOTAL BUDGET (Sum 1k + 2) a/	XXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXX	$7,256,387

a/ Include in this table:

1. The allocation of funds for the next program year:	$6,906,387
2. The estimated carryover of funds from the current program year:	350,000
3. Total budget:	$7,256,387

b/ Chapter 1 Administrative funds assigned specifically for the Administration of the Migrant Education program.

c/ Column 3 should include the allocation of funds for the next program year and the estimated carryover of funds from the current program year.

ATTACHMENT TO BUDGET SUMMARY TABLE B

Items included on line "h. Other" of the Budget Summary:

Audio Visual Charge	$ 200.
Communication Services Center	9,000.
Conference Expense	500.
Education/Training/Registration Fees	3,500.
Employee Assistance Program	293.
Insurance—State Risk Management	1,155.
Maintenance—Contract	300.
Outgoing Shipments	80.
Postage	3,000.
Printing	500.
Quick Copy (Duplicating)	500.
Communication	3,600.
Stipends/Lectures	8,404.
Storage and Holding	500.
Subscriptions	100.
Telephone	8,000.
Xerox	2,310.
Other	410.
TOTAL	$42,352.*

* $4,458 to be paid with Chapter 1 Administrative Funds

TABLE C

SEA STAFF POSITIONS AND FUNDING SOURCE

Position	Migrant Program Funds		Chapter 1 Administrative Funds		Total Percent Time in the MEP
	Salary	% Time	Salary	% Time	
1	2	3	4	5	6 a/
State Program Director	31,600	.80	7,900	.20	100%
Program Specialist	38,773	.86	5,876	.14	100%
Program Specialist	26,556	.86	4,323	.14	100%
Program Specialist	43,843	1.00			100%
Program Specialist	30,879	1.00			100%
Administrative Secretary	15,631	1.00			100%
Administrative Asst. I	23,384	1.00			100%
Accounting Technician II			10,890	.50	50%
Administrative Assistant II			4,374	.20	20%
TOTALS	$210,666	XXXXXXXX XXXXXXXX	$33,363	XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX	

a/ The percentage of time reported in Column 3 plus the percentage of time reported in Column 5 must equal the percentage of time reported in Column 6.

State Program Director Is responsible for the (a) preparation of the Annual State Plan, the Annual Evaluation of the State program, and of the State Monitoring Plan; (b) implementation of all phases of the statewide MCEP, of the MSRTS, and of the SMPAC; (c) supervision of the migrant staff at the state level, the State-Wide Services Project, and the Arizona PASS program; (d) maintenance of inventory control of all migrant purchased equipment; (e) disbursement of all Chapter 1 MEP funds at the state level, and of fund accounting procedures; (f) supervision of the process for reviewing all LEA applications and amendments for regular and summer projects, and of the process for reviewing, analyzing and disposition of LEA reports; (g) supervision of all LEA on-site monitoring activities; (h) provision of technical assistance to operating LEAs; (i) design and dissemination of program forms and instructions to LEAs; (j) participation in interstate and intrastate activities including out-of-state meetings, conferences, etc.; (k) negotiation and awarding of contracts when needed; (l) development and supervision of staff development and training of teachers, aides and parents; (m) submission of required reports to the ADE and to USDE; and (n) correspondence and inquiries regarding the MEP.

Program Specialist Two Program Specialists assigned at the State level are responsible to the State Program Director and assist the Director to: (a) prepare the State Plan, Monitoring Plan and Program Evaluation; (b) implement and monitor the MSRTS, SMPAC and all other phases of the MCEP; (c) maintain inventory control of all migrant purchased equipment; (d) oversee disbursal Chapter 1 MEP funds; (e) review LEA applications and amendments for regular and summer projects; (f) participate in interstate and intrastate coordination activities; (g) monitor LEAs on-site; (h) negotiate and award contracts when needed; (i) develop and implement staff development and training activities for teachers, aides and parents; (j) submit required reports to ADE and USDE; and (k) respond to inquiries and correspondence regarding the MEP. Two additional Specialists assist the State Director in: a) coordinating program development activities; b) assisting projects in determining needs and designing program services; c) coordinating with other federal and state education and support programs; d) developing and implementing statewide recruitment efforts; e) providing resources to facilitate parental involvement; f) other assistance as required for SEA or LEA program improvement.

Administrative Assistant I Works directly with the State Program Director and Program Specialists. Responsibilities include: (a) logging in and assigning project numbers to incoming projects; (b) preliminary review of LEA projects and amendments for correct computations and completeness, route applications and amendments for final signature of the State Superintendent; (c) perform secretarial duties for state migrant staff, compose and type forms, letters, etc., as needed; (d) make preparations for interstate and intrastate coordination activities for migrant staff; (e) make all reservations, appointments, etc., for the State Director; (f) type agendas, send out notices of meetings, etc.; and (g) supervise support staff activities—assign work, approve annual leave, sick leave, and evaluate Administrative Secretary on performance of duties.

Administrative Secretary Assist personnel of the MCEP Unit at the state level: (a) type and/or compose letters, forms, etc.; (b) file projects, amendments, correspondence and reports; (c) answer the telephone and take messages for the migrant staff; (d) assist the Administrative Assistant in making reservations for the migrant staff; and (e) perform all other assigned clerical duties.

Accounting Technician II Responsible for: (a) making regular monthly payments to LEAs through the County School Superintendent's office and for payment of all other obliga-

Accounting Technician II Responsible for: (a) making regular monthly payments to LEAs through the County School Superintendent's office and for payment of all other obligations incurred by the MCEP Unit; (b) completing financial reports for the MCEP Unit; and (c) providing fiscal information, as needed, by the MCEP Unit.

Administrative Assistant II Responsible for: (a) monitoring Chapter 1 MEP applications from the LEAs to ensure that there is on file with the SEA, a General Statement of Assurance for every LEA applying for federal funding; (b) inspecting monthly payment schedules of federal funds to LEAs to confirm that amounts are accurate and within guidelines for federal/state program regulations; (c) reviewing and controlling of federal/state grants; (d) auditing completion reports (Annual Financial Statements) to ensure compliance with program regulations, Arizona state laws, the Uniform System of Financial Records, the Uniform Code of Federal Regulations and approved budgets and to ensure that budget line items on completion reports agree with those presented on the final approved budget; (e) designing, developing and implementing the program for monitoring and evaluation of the Federal Cash Management System; and (f) controlling indirect cost claims by auditing claims submitted by 15 different County School Superintendents' offices.

TABLE D

STATE PLAN BUDGET SUMMARY
(Migrant Education Program Funds Only)

PART I
Identification and Recruitment and MSRTS

SEA and LEA (Subgrantee) Budget for:	
a. Identification and Recruitment a/	$ 445,910
b. MSRTS b/	614,510
c. Total	1,060,420

PART II

Instructional Services, Support Services and Subgrantee Administration

1. LEA (Subgrantee) Budget for:	XXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXX
a. Instructional Services	4,798,336
b. Support Services:	
(1) Health	230,844
(2) Guidance and Counseling	110,545
(3) Nutrition	13,375
(4) Parental Activities c/	41,065
(5) Other	170,719
c. Administration (Subgrantee)	453,574
2. Total	$5,818,458

a/ Costs to be shown under identification and recruitment include those costs related to the identification and recruitment of migratory children up to the point of entry into the MSRTS at both SEA and local operating agency levels.

b/ Costs to be shown under MSRTS include all those costs associated with the Migrant Education Program in entering data into the MSRTS and all costs involved in extracting, analyzing, or studying data from the MSRTS at both the SEA and local operating agency levels.

c/ Parental Activities include costs associated with the Parent Advisory Committee.

OMB Approval No. 0348-0040

ASSURANCES — NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program andto purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
A Diane Bishop	Superintendent of Public Instruction
APPLICANT ORGANIZATION	**DATE SUBMITTED**
Arizona Department of Education	3/6/91

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over $100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

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2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110 –

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

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3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 –

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about–

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will–

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office

BEST COPY AVAILABLE

Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted–

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

_____

_____

_____

Check ☐ if there are workplaces on file that are not identified here.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 –

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT	PR/AWARD NUMBER AND/OR PROJECT NAME
Arizona Department of Education	
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
C. Diane Bishop, Superintendent of Public Instruction	
SIGNATURE	DATE
C Diane Bishop	March 6, 1991

ED 80-0013